

Desiree McCaslen  
1616 D Ave  
South Sioux City, NE 68776  
Sent Via Email and Certified Mail

**RE: Reissuance of Industrial User Permit No. 2018-31-I to Big Ox Energy Siouxland by the City of Sioux City**

Dear Desiree McCaslen,

Your application for an industrial user pretreatment permit has been reviewed and processed in accordance with City Code Section 13.07.070. The enclosed permit number 2018-31-I is being reissued to incorporate limits for conventional pollutant discharges and covers the wastewater discharged from the facility 1616 D Ave South Sioux City, Nebraska into the City of Sioux City sewer system. All discharges from this facility and actions and reports relating to them must be in accordance with the terms and conditions of this permit.

Note that this permit includes new requirements for your facility as outlined in the permit including the following:

- Industry documentation of flows, sampler temperature, process control TSS data, and operations summary submitted to the pretreatment office by 2pm daily via email.
- A compliance schedule has been included in the permit to allow for development, construction, and implementation of effective pretreatment technology to meet Final Limits for TSS, BOD, TKN, & FOG. Interim limits are in effect for TSS for both monthly average and maximum daily loading. All milestone events must be completed by the date due, and a compliance report must be submitted no later than 14 days after the milestone event completion is due.
- Originally, IU Permit Number 2016-32-I's expiration date was 4 years after its effective date (5/1/2016-4/13/2020). Current City Code only allows 3 years for a maximum permit length and is not enforceable thereafter. The reissued Permit will be effective 30 days after it is reissued and will expire April 30, 2019.
- The City will perform monitoring for BOD, TSS, FOG, and pH at the frequency specified in the permit. All other required monitoring parameters will be the responsibility of Big Ox Energy to report. If your facility feels the frequency presented herein is not adequate to properly characterize the discharge from your facility, additional monitoring may be performed and reported as defined in the permit.
- Other required monitoring must be performed using approved methodology (40 CFR 136) and be reported signed and certified to the Pretreatment Office no later than the 15<sup>th</sup> of each following month.

- New Monitoring parameters include Quarterly reporting for Iron, Aluminum, Zinc, and Chrome.

These changes to the industrial user requirements are significant and we want to ensure these requirements have been properly communicated and that any questions or concerns you have are addressed. Please contact the City if you would like to set up an in-person meeting to review the new permit requirements or information being requested. Please contact the pretreatment office at 712.279.6987 or [csamek@sioux-city.org](mailto:csamek@sioux-city.org) to request a meeting.

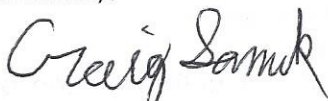
If you wish to appeal or challenge any condition imposed in this permit, you must file a petition for modification or reissuance of this permit within 30 days of your receipt of this correspondence. Failure to petition for reconsideration of the permit within the allotted time is deemed a waiver by the permittee of its right to challenge the terms of this permit.

The effective date of the permit is 5/1/2016 (reissued effective date:11/25/2018) and the expiration date is 4/30/2019.

The City is updating the Pretreatment Program. The Pretreatment Program update will include an evaluation of all industrial contributions, the City Code/legal authority, as well as the Enforcement Response Plan. The City will maintain communication with all industries related to these changes to the program.

We appreciate your cooperation and feedback related to the City's Industrial Pretreatment Program. Please do not hesitate to contact me at 712.279.6987 if you have any questions.

Sincerely,



Craig Samek  
Pretreatment Coordinator  
City of Sioux City

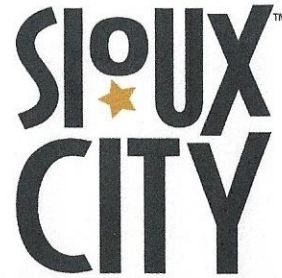
**Enclosures:**

Permit

**CC:**

South Sioux City, NE  
IDNR  
NDEQ





**Significant Industrial User Wastewater Discharge Permit**  
**SIOUX CITY, IA**  
**Pretreatment Program**

Permit Number

**2018-31-I**

In accordance with the provisions of City Codified Ordinance Chapter 13 Permittee:

**Big Ox Energy Siouxland**

Facility

**1616 D Avenue**

Location Address

**South Sioux City, NE, 68776**

City, State, Zip Code

The Holder of this Discharge Permit is hereby authorized to discharge process wastewater from the above identified facility to the City of Sioux City Publicly Owned Treatment Works (POTW) in accordance with the conditions set forth in this permit and said ordinance(s) based on the facility's operations at the time of issuance. Any modification to the typical operation of the facility, including but not limited to equipment upgrades/replacement, increase/decrease in production, and/or new production, that would have a significant impact to the effluent wastewater characteristics, shall be communicated to the Pretreatment Office prior to finalization for impact determination. Compliance with this permit does not relieve the permittee of its obligation(s) to comply with all applicable regulations, standards, and/or requirements under local, State and Federal laws, including such laws that may become effective during the term of this permit. If necessary, an amendment shall be issued to reflect these changes.

Noncompliance with any term or condition of this permit shall constitute a violation and therefore be subject to enforcement, including penalties, as defined in the City of Sioux City Enforcement Response Plan. The conditions contained herein are considered part of the permittee's requirements and any violation of the conditions herein will be evaluated and the appropriate enforcement action will be applicable. Situations of continued noncompliance shall result in escalation of enforcement action(s) including reference to Iowa Department of Natural Resources and/or Region 7 EPA, if necessary.

Effective Date: 5/1/2016  
(Reissue Effective: 11/25/2018)  
Expiration Date: 4/30/2019

**A. General Information:**

|   |   |
|---|---|
| <b>Date of Issue:</b>   | 5/1/2016 (Reissue 10/25/2018)           |
| <b>Permit Effective Date:</b>                                 | 5/1/2016 (Reissue effective 11/25/2018) |
| <b>Permit Expiration Date:</b>                                | 4/30/2019                               |
| <b>Renewal Application Due Date:</b>                          | 1/31/2019                               |
| <b>Primary Standard Industrial Classification Code (SIC):</b> | 4952-Sewerage Systems                   |
| <b>Additional SIC:</b>  |   |
| <b>Additional SIC:</b>  |   |
| <b>Classification:</b>  | Significant Industrial User (SIU)       |
| <b>Average Flow Discharged (monthly GPD):</b>                 | 1,750,000                               |

**B. Monitoring Locations:**

1. During the period of 5/1/2016 to 4/30/2019, the permittee is authorized to discharge process, non-process, and sanitary wastewater to the City's POTW from the outfalls listed below:

|     |   |
|-----|---|
| 001 | Effluent from gas energy mixer. Composite sampler draws from a pit located in the Southeast corner of process building. Sample line is to be placed at the level of effluent pump intake. |
|-----|---|



**C. Effluent Discharge Limits and Sample Collection Requirements:**

i. Monitoring Requirements effective upon the effective date of this permit until Projected Secondary Interim permit limits are in effect. (9/30/2019)

This reissued permit expires 4/30/2019 and a new permit will be issued to reflect appropriate limits.

The Discharges from the outfall(s) listed on page 2 shall not exceed the following Limitations and shall be sampled and reported by type and frequency as established below:

**Initial Interim Limits Effective Immediately**

| Parameter                          | Daily Limit         | Monthly Avg.        | Sampling Frequency <sup>2</sup> | Reporting Frequency <sup>2</sup> | Sample Type                   |
|------------------------------------|---------------------|---------------------|---------------------------------|----------------------------------|-------------------------------|
| pH (standard units)                | Footnote 1          | N/A                 | 1/Month                         | (City)                           | Grab                          |
| Flow (MGD)                         | Monitor             | Monitor             | 1/Day                           | Daily(BOE)                       | 24-Hr Total <sup>3</sup>      |
| Sampler Temperature (°C)           | N/A                 | N/A                 | 1/Day                           | Daily(BOE)                       | Grab                          |
| TSS lbs./day (Interim Limits)      | 48,509 <sup>7</sup> | 20,000 <sup>7</sup> | 1/Day                           | Daily(BOE)                       | Composite <sup>4</sup>        |
| TSS (mg/L)                         | N/A                 | N/A                 | 4/Day                           | Daily(BOE)                       | Grab (no more than 6hr apart) |
| BOD (mg/L)                         | N/A                 | N/A                 | 2/Week                          | (City)                           | Composite <sup>4</sup>        |
| Total Kjeldahl Nitrogen (mg/L)     | N/A                 | N/A                 | 2/Week                          | Monthly(BOE)                     | Composite <sup>4</sup>        |
| FOG (mg/L)                         | N/A                 | N/A                 | 1/Week                          | (City)                           | Grab                          |
| Total Nitrogen (mg/L) <sup>5</sup> | N/A                 | N/A                 | 1/Month                         | Monthly(BOE)                     | Composite <sup>4</sup>        |
| Total Phosphorus (mg/L)            | N/A                 | N/A                 | 1/Week                          | Monthly(BOE)                     | Composite <sup>4</sup>        |
| Iron (mg/L)                        | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | Quarterly(BOE)                   | Composite <sup>4</sup>        |
| Aluminum (mg/L)                    | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | Quarterly(BOE)                   | Composite <sup>4</sup>        |
| Chromium (mg/L)                    | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | Quarterly(BOE)                   | Composite <sup>4</sup>        |
| Zinc (mg/L)                        | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | Quarterly(BOE)                   | Composite <sup>4</sup>        |

1 The limit for pH is an instantaneous limit. All values must lie within the range of 5 to 11.5 S.U. at all times.

2 Refer to Standard Condition under "Reporting" for reporting requirements.

3 Daily flows shall be documented for all days that the facility is in operation.

4 Composite samples shall be collected using 24-hour flow-proportional composite sample techniques unless otherwise approved by the director.

5 Total Nitrogen results to be reported TKN and (NO<sub>2</sub>+NO<sub>3</sub>)

6 Metals results to be included in monthly report April (Jan.-March), July (April-June), October(July-Sept.), and January (Oct.-December)

7 Limits subject to change upon review of Pretreatment Program modifications



**ii. Projected Secondary Interim Permit Limits. Monitoring Requirements (9/30/2019)**

This reissued permit expires 4/30/2019 and a new permit will be issued to reflect appropriate limits.

The Discharges from the outfall(s) listed on page 2 shall not exceed the following Limitations and shall be sampled and reported by type and frequency as established below

**Projected Secondary Interim Limits 9-30-2019**

| Parameter                                | Daily Limit         | Monthly Avg.        | Sampling Frequency <sup>2</sup> | Reporting Frequency <sup>2</sup> | Sample Type                   |
|--|---------------------|---------------------|---------------------------------|----------------------------------|-------------------------------|
| <b>pH (standard units)</b>               | Footnote 1          | N/A                 | 1/Month                         | (City)                           | Grab                          |
| <b>Flow (MGD)</b>                        | Monitor             | Monitor             | 1/Day                           | <b>Daily(BOE)</b>                | 24-Hr Total <sup>3</sup>      |
| <b>Sampler Temperature (°C)</b>          | N/A                 | N/A                 | 1/Day                           | <b>Daily(BOE)</b>                | Grab                          |
| <b>TSS lbs./day</b>                      | 15,000 <sup>7</sup> | 10,000 <sup>7</sup> | 1/Day                           | <b>Daily(BOE)</b>                | Composite <sup>4</sup>        |
| <b>TSS (mg/L)</b>                        | N/A                 | N/A                 | 4/Day                           | <b>Daily(BOE)</b>                | Grab (no more than 6hr apart) |
| <b>BOD (lbs./day)</b>                    | 21,000 <sup>7</sup> | 14,000 <sup>7</sup> | 2/Week                          | (City)                           | Composite <sup>4</sup>        |
| <b>Total Kjeldahl Nitrogen (mg/L)</b>    | N/A                 | 230 <sup>7</sup>    | 2/Week                          | <b>Monthly(BOE)</b>              | Composite <sup>4</sup>        |
| <b>FOG (mg/L)</b>                        | N/A                 | N/A                 | 1/Week                          | (City)                           | Grab                          |
| <b>Total Nitrogen (mg/L)<sup>5</sup></b> | N/A                 | N/A                 | 1/Month                         | <b>Monthly(BOE)</b>              | Composite <sup>4</sup>        |
| <b>Total Phosphorus (mg/L)</b>           | N/A                 | N/A                 | 1/Week                          | <b>Monthly(BOE)</b>              | Composite <sup>4</sup>        |
| <b>Iron (mg/L)</b>                       | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |
| <b>Aluminum (mg/L)</b>                   | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |
| <b>Chromium (mg/L)</b>                   | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |
| <b>Zinc (mg/L)</b>                       | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |

- 1 The limit for pH is an instantaneous limit. All values must lie within the range of 5 to 11.5 S.U. at all times.
- 2 Refer to Standard Condition under "Reporting" for reporting requirements.
- 3 Daily flows shall be documented for all days that the facility is in operation.
- 4 Composite samples shall be collected using 24-hour flow-proportional composite sample techniques unless otherwise approved by the director.
- 5 Total Nitrogen results to be reported TKN and (NO<sub>2</sub>+NO<sub>3</sub>)
- 6 Metals results to be included in monthly report April (Jan.-March), July (April-June), October(July-Sept.), and January (Oct.-December)
- 7 Limits subject to change upon review of Pretreatment Program modifications

Effective Date: 5/1/2016  
 (Reissue Effective: 11/25/2018)  
 Expiration Date: 4/30/2019



- iii. Projected Final Monitoring Requirements 4/30/2020- This reissued permit expires 4/30/2019 and a new permit will be issued to reflect appropriate Final Permit Limits. The Discharges from the outfall(s) listed on page 2 shall not exceed the following Limitations and shall be sampled and reported by type and frequency as established below

**Projected Final Limits 4-1-2020**

| Parameter                                | Daily Limit         | Monthly Avg.        | Sampling Frequency <sup>2</sup> | Reporting Frequency <sup>2</sup> | Sample Type                   |
|--|---------------------|---------------------|---------------------------------|----------------------------------|-------------------------------|
| <b>pH (standard units)</b>               | Footnote 1          | N/A                 | 1/Month                         | (City)                           | Grab                          |
| <b>Flow (MGD)</b>                        | Monitor             | Monitor             | 1/Day                           | <b>Daily(BOE)</b>                | 24-Hr Total <sup>3</sup>      |
| <b>Sampler Temperature (°C)</b>          | N/A                 | N/A                 | 1/Day                           | <b>Daily(BOE)</b>                | Grab                          |
| <b>TSS (lbs./day)</b>                    | 15,000 <sup>7</sup> | 10,000 <sup>7</sup> | 1/Day                           | <b>Daily(BOE)</b>                | Composite <sup>4</sup>        |
| <b>TSS (mg/L)</b>                        | N/A                 | N/A                 | 4/Day                           | <b>Daily(BOE)</b>                | Grab (no more than 6hr apart) |
| <b>BOD (lbs./day)</b>                    | 21,000 <sup>7</sup> | 14,000 <sup>7</sup> | 2/Week                          | (City)                           | Composite <sup>4</sup>        |
| <b>Total Kjeldahl Nitrogen (mg/L)</b>    | N/A                 | 230 <sup>7</sup>    | 2/Week                          | <b>Monthly(BOE)</b>              | Composite <sup>4</sup>        |
| <b>FOG (mg/L)</b>                        | 400 <sup>7</sup>    | 200 <sup>7</sup>    | 1/Week                          | (City)                           | Grab                          |
| <b>Total Nitrogen (mg/L)<sup>5</sup></b> | N/A                 | N/A                 | 1/Month                         | <b>Monthly(BOE)</b>              | Composite <sup>4</sup>        |
| <b>Total Phosphorus (mg/L)</b>           | N/A                 | N/A                 | 1/Week                          | <b>Monthly(BOE)</b>              | Composite <sup>4</sup>        |
| <b>Iron (mg/L)</b>                       | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |
| <b>Aluminum (mg/L)</b>                   | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |
| <b>Chromium (mg/L)</b>                   | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |
| <b>Zinc (mg/L)</b>                       | N/A                 | N/A                 | 1/Quarter <sup>6</sup>          | <b>Quarterly(BOE)</b>            | Composite <sup>4</sup>        |

- 1 The limit for pH is an instantaneous limit. All values must lie within the range of 5 to 11.5 S.U. at all times.
- 2 Refer to Standard Condition under "Reporting" for reporting requirements.
- 3 Daily flows shall be documented for all days that the facility is in operation.
- 4 Composite samples shall be collected using 24-hour flow-proportional composite sample techniques unless otherwise approved by the director.
- 5 Total Nitrogen results to be reported TKN and (NO<sub>2</sub>+NO<sub>3</sub>)
- 6 Metals results to be included in monthly report April (Jan.-March), July (April-June), October(July-Sept.), and January (Oct.-December)
- 7 Limits subject to change upon review of Pretreatment Program modifications

Effective Date: 5/1/2016  
(Reissue Effective: 11/25/2018)  
Expiration Date: 4/30/2019



**D. General Permit Conditions:**

1. Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, state, and federal Pretreatment Standards and requirements including any such standards or requirements that might become effective during the term of this permit.
2. The discharge of process waters into the POTW for the purpose of treatment at the City's Wastewater Treatment Plant (WWTP) shall be allowed by permit only for waters whose chemical and physical characteristics are compatible for treatment, and do not cause damage to the POTW, interrupt the functionality of the POTW, or endanger the safety of workers or the public. Application for such permit shall be made in the form of "Wastewater Discharge Permit Application", submitted to the City of Sioux City Pretreatment Office.
  - a. Such permits shall be issued for a limited period at the sole discretion of the Director and upon such terms and conditions deemed to be in the best interest of the City.
  - b. Applications must be filed 90 days prior to the expiration of said permit or prior to the requested discharge as required by municipal code 13.07.070:
    - i. An expired permit may continue to be effective and enforceable until the permit is reissued if:
      1. The permittee has submitted a completed permit application at least 90 days prior to the expiration date of the existing permit, and
      2. The reason to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.
3. The Director may at any time modify this permit for reasons including, but not limited to:
  - a. Incorporation of new or revised local, State or Federal standards or requirements, such as the regulations contained in IAC 567 and 40 CFR 403,
  - b. Changes to the operation of the permitted facility that affect the integrity of the City's wastewater quality being discharged at the time of permit issuance,
  - c. Changes to incorporate any new or revised requirements resulting from the City of Sioux City's re-evaluation of the POTW's allowable headworks loadings and/or local limits.
  - d. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required sampling and/or reporting, or
  - e. Upon request of the permittee to accommodate permit transfer to new owner/operator,
    - i. This permit may be reassigned transferred to a new owner/operator with prior approval from the Director and the following items occur:
      1. The permittee must give at least 30 days advance notice to the Pretreatment Office
      2. The notification to the Pretreatment Office must include written certification by the new owner/operator that does the following:
        - a. States that the new owner/operator has no immediate intent to change the facility's operations and/or processes;
        - b. Identifies the specific date on which the transfer to occur, and
        - c. Acknowledges full responsibility for complying with the existing limits in the permit.
        - d. The Director approves the permit transfer
      - ii. The filing of a request by the permittee for a permit modification, revocation, reissuance, termination, notification of planned changes or anticipated noncompliance, does not stay any permit condition herein.
4. This permit may be terminated for reasons including, but not limited to:
  - a. Failure to notify the Director of significant changes to the wastewater prior to a discharge,
  - b. Failure to notify the Director of changed conditions,
  - c. Falsifying monitoring reports and/or certification statements,
  - d. Tampering with monitoring equipment,
  - e. Refusing to allow timely access to the facility premises and records,
  - f. Failure to pay fines and/or pay sewer charges,
  - g. Failure to meet effluent limitations and/or meet compliance schedule deadlines,
  - h. Failure to complete a wastewater survey or the required discharge permit application,
  - i. Failure to provide advanced notice of the transfer of business ownership/operation of a permitted facility, or
  - j. Violation of any Pretreatment Standard or Requirement including required best management practices, or any terms of the wastewater discharge permit or the ordinances referenced herein.

Effective Date: 5/1/2016  
(Reissue Effective: 11/25/2018)  
Expiration Date: 4/30/2019



5. The permittee may petition to appeal the terms of this permit within thirty (30) days of the date of issue
  - a. This petition must be in writing; failure to submit a petition for review shall be deemed a waiver of the administrative appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for the objection(s), and the alternative condition, if any, it seeks to be placed in the permit.
  - b. The effectiveness of this permit will not be stayed pending the appeal. If the Director fails to act within 30 days, the request for reconsideration will be deemed to be denied. Decisions not to reconsider a permit, not to issue a permit, or not to modify a permit will be considered final administrative action for purposes of judicial review.
6. If treatment of a proposed discharge by the permit holder is necessary to meet these permit requirements, the permit holder shall be responsible for design and construction of such treatment facilities prior to initiating any such discharge.
  - a. Said treatment facilities shall comply with all City, State and Federal regulatory requirements.
  - b. The discharge must continuously meet or exceed the quality required by permit conditions, local limits, municipal code, and State and Federal wastewater discharge standards.
  - c. Should the permittee fail to meet such requirements, the Director may issue a compliance schedule for correcting the violations and/or require that the discharge cease until treatment is installed by the permit holder that results in meeting such requirements:
    - i. Should the permittee fail to meet the compliance schedule, the Director may issue additional enforcement actions for the correction of the violation(s) and/or may require that the discharge cease until the requirements/discharge limits can be met.
  - d. Solids, sludges, filter backwash and other pollutants removed in the course of treatment of control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act (RCRA).
7. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control, and related equipment which are installed or used to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective performance, implementation of appropriate best management practices (BMP's), adequate funding, adequate operator staffing and training, and adequate process controls to maintain effective operation of pretreatment system. During loss or failure of all or part of a treatment facility, the permittee shall:
  - a. **Notify the Pretreatment Office immediately to the extent of the failure of the treatment system and the corrective actions taking place to rectify the situation.**
  - b. **Control its production and/or discharges until operation of the treatment facility is restored or find an alternative method of treatment**
8. The route, from discharge point to WWTP may be analyzed or re-analyzed by the City for available collection system hydraulic capacity. This analysis may be used to establish allowable rates of discharge, time(s) of day for such discharge, and wet weather flow curtailments for the permitted discharge.
  - a. Periodic POTW capacity checks may be made by the City and volumes/rates and time of day schedules for the permit holder may be adjusted by the City thereafter. If it is determined that restrictions must be made on flow, this permit will be re-opened to include such restrictions.
  - b. The permit holder must comply with the latest volume/rate, time of day schedule provided by the City.
  - c. Further, the City, at the discretion of the Director, may order the alteration or temporary suspension of ground/surface water discharges if wet weather or other conditions cause the POTW to become hydraulically overloaded. The permit holder must comply with such orders.
  - d. It is the permit holder's responsibility to establish BMPs that will achieve compliance with the flow restrictions or provide flow retention facilities with adequate capacity for containing the permit holder's discharge(s) during periods of time when the City curtails the discharge(s) to the POTW.
9. The permittee shall notify the Pretreatment Office prior to any changes within the operation of the facility that impact the volume, concentration or nature of the discharge. This includes, but is not limited to, facility shut down for maintenance/repair, seasonal variations due to production, modifications to the current treatment system, and/or any non-routine discharge that may be considered a Slug Discharge, as defined by municipal code 13.02.020.
  - a. The permittee must give 90 days' notice to the City of Sioux City before any facility expansion, production increase/decrease, or process modifications that result in new or substantially increased/decreased discharges or a change in the nature of the discharge occur. **A substantial change is defined as an increase or decrease in 20% compared to the information provided in the permit application related to flow or pollutant loadings.**
  - b. The permittee must give advanced notice to the City of Sioux City of any planned changes in the permitted facility or activity that could result in noncompliance with permit



requirements or limitations.

10. **Based upon application and inspection, Slug Plan is required. Plan has been submitted by BOE and shall be updated as necessary.** The Slug Plan shall contain at a minimum, the following information:
  - a. Description of discharge practices, including non-routine batch Discharges;
  - b. Description of stored chemicals;
  - c. Procedures for immediately notifying the POTW of Slug Discharges, including any Discharge that would violate a prohibition under §403.5(b) with procedures for follow-up written notification within five days;
  - d. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response;
11. Discharges which could cause potential problems with the City's WWTP (including slug loadings defined as any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through) require **immediate** notification to the WWTP. Reporting of slug discharges shall be made to the POTW, both to the WWTP on call Operator 712-202-3160 and to the Pretreatment Department 712-279-6987. The notification shall include the pollutant released, the volume of the release, and any known hazards. A written account and explanation of the event shall be submitted to the Pretreatment Department within 24 hours.
12. The permittee must retain records of all monitoring information including all calibration and maintenance records and recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application.
  - a. This period may be extended by request of the City of Sioux City at any time.
  - b. The permittee must retain and preserve all records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Sioux City until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.
13. The permittee must allow the City of Sioux City, or an authorized representative, state or federal personnel, upon the presentation of proper identification, to do the following:
  - a. Enter the premises where a regulated facility or activity is located or conducted or where records must be kept under the condition of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
  - d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
  - e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the POTW.

#### **E. Monitoring:**

1. Monitoring and analysis shall be completed in accordance with 40 CFR Part 136 at the sampling locations designated in this permit and be representative of the discharge. If multiple effluent outfalls exist, then samples shall be evaluated simultaneously at all appropriate discharge locations during a sampling event. All monitoring associated with this permit is the responsibility of the permittee; reports are due as specified in the "Reporting" section of this permit.
  - a. **All samples shall be collected per the monitoring requirements of this permit.** The sampler and flow meter are the property of the permittee and are required to be in proper working condition at all times. The composite sampler is required to collect daily samples regardless of whether the sample is a scheduled monitoring sample. Daily temperature of the sampler shall be logged on the monthly self-monitoring report by the permittee including any notes or issues related to the sampling equipment or procedure if not included on the chain-of-custody (refer to item 4 below).
  - b. The sampler programming and sample aliquot frequency shall be set up and agreed upon by the permittee and the Director including composite sampler start/stop time

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- and the methods for cleaning the sampler unit. No modification to the established sampling program can be made without prior communication to the Director.
- c. If the results of the collected analysis indicate a violation has occurred, the permittee must notify the Director within 24 hours of becoming aware of the violation. Repeat sampling and pollutant analysis and submit, in writing, the results of the repeat sampling within 30 days of becoming aware of a violation.

2. Per 40 CFR 403.12(g)(6), all industries that monitor regulated pollutants more frequently than required in this permit, using 40 CFR Part 136 procedures, shall report all the results of this monitoring. All samples collected and analyzed by either the City or the industry shall be averaged to represent the discharge and calculate surcharges associated with high-strength wastewater per the City's ordinance.
3. Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit, and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure their accuracy. Monitoring points must not be changed without notification to and the approval of the City of Sioux City.
4. If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices must be selected and used to ensure the accuracy and reliability of measurement of the volume of monitored discharges. The devices must be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. The devices selected must be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.
5. **The City has committed to performing the monitoring for BOD, TSS, and FOG defined herein (except for required daily internal monitoring TSS results). Big Ox Energy will be responsible for monitoring of all other pollutants listed in Section C at the minimum frequency. The City may also elect to monitor for additional parameters for further characterization of your discharge. If the permittee feels that additional samples will better represent the characteristics of their discharge, then the permittee may elect to perform additional sampling in accordance with 40 CFR Part 136. All samples collected and submitted for analysis by an industrial user must contain the following documentation on a chain of custody and laboratory analysis report and be submitted as required below including signatory requirements:**
  - a. The date, exact place, time and methods of sampling or measurements, sampler preservation, technique or procedures;
  - b. Who performed the sampling or measurement;
  - c. The date the analysis was performed
  - d. Who performed that analysis
  - e. The analytical method used; and
  - f. The result of the analysis including the reporting limit for any results below the reporting limit.

#### **F. Reporting:**

1. Results of all monitoring performed by the permittee shall be recorded on forms provided by, or approved by, the Director, and shall be submitted via **Signed and Certified Hardcopy directly to the Pretreatment Office at 3100 S Lewis Blvd by the 15<sup>th</sup> day** following the close of the reporting period. Your reporting period for analytical data is on a **MONTHLY** basis, ending on the last day of each reporting period.
2. Testing of effluent for metals is **due quarterly**. Metals results to be included in monthly report for April (Jan.-March), July (April-June), October(July-Sept.), and January (Oct.-December)
3. **Daily Reports** shall be submitted **Via Email by 2pm (Including weekends)**. Report will contain: previous day flow total, sampler temperature and functionality, any equipment or operational malfunctions, 24-hour Composite Effluent TSS, and 4 grab TSS samples no more than 6 hours apart.
4. Any permittee sampling and/or monitoring effluent pollutant(s) more frequently than the City shall submit discharge monitoring reports for these pollutants by the **15<sup>th</sup> day** of the month following the month in which the sample(s) were taken.



5. The permittee must furnish to the City of Sioux City, within 10 days any information that the City of Sioux City may request to do determine compliance with this permit. The permittee must also, upon request, furnish to the City of Sioux City within 10 days of request any records required to be kept by this permit.
6. Any permitted facility that experiences an upset in operations that places the facility in a temporary state of noncompliance with the provisions of either this permit or with municipal code chapter 13, must inform the City of Sioux City within 24 hours of becoming aware of the upset to the WWTP operations staff at 712-202-3160 and formal notification made to the Pretreatment Office via phone 712-279-6987.
  - a. A written follow up report of the upset must be submitted to the Director within 5 days of an identified event, and must contain the following:
    - i. Description of the upset, its cause, duration and pollutants of concern,
    - ii. Impact on effluent discharge compliance,
    - iii. Steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

**G. Prohibitions and Enforcement:**

**Compliance Schedule:**

| <b>Milestone Event</b>  | <b>Required No Later Than</b>                            | <b>Progress Report Due*</b> |
|---|--|-----------------------------|
| 1. Submit a detailed report summarizing the improvements needed to meet the final limits. This report shall be sealed by a P.E. licensed in the State of Nebraska and Iowa and shall include design capacity of the facility's pretreatment system (current compared to the proposed) as well as process schematics demonstrating the process treatment (current and proposed). The report may recommend phasing of the additional treatment to meet the final permit limits for specific parameters. | <b>March 31, 2019</b>                                    | <b>April 13, 2019*</b>      |
| 2. Complete the installation of the recommended improvements to the pretreatment system in accordance with #1 above to meet the final TSS limits.   | <b>Complete installation<br/>August 1, 2019</b>          | <b>August 15, 2019*</b>     |
| 3. Compliance with the final TSS limits shall be demonstrated within 60 days of completing the installation.  | <b>Demonstrate<br/>Compliance<br/>September 30, 2019</b> | <b>October 13, 2019*</b>    |
| 4. Complete the installation of the additional recommended improvements to the pretreatment system in accordance with #1 above necessary to meet final TSS, BOD, TKN and Oil & Grease limits.   | <b>Complete installation<br/>February 1, 2020</b>        | <b>February 15, 2020*</b>   |
| 5. Compliance with the final limits shall be demonstrated within 60 days of completing the installation.  | <b>Demonstrate<br/>Compliance April 1,<br/>2020</b>      | <b>April 15, 2020*</b>      |

\*No later than 14 days following the due date of each Milestone Event, Big Ox Energy Siouxland must submit to the City a progress report including, at a minimum, whether it complied with the increment of progress to be met on such a date and, if not, the date which it expects to comply with the increment of progress, the reason for delay, and actions taken to return the project to the schedule established in this permit. Compliance Reports must be signed with the certification statement as required below (Section H.).

1. The permittee is prohibited from increasing the use of potable or process water or in any way attempting to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the effluent discharge limitations set forth in this permit.

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2. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, severe property damage, or no feasible alternative exists. In the event of a bypass the permittee shall notify the Pretreatment Office as soon as possible:
  - a. Advance notice, in writing, shall be submitted to the Pretreatment Office at least ten (10) days prior to a proposed bypass,
  - b. An unanticipated or accidental bypass shall be reported immediately to the WWTP operations staff at 712-202-3160 and formal notification made to the Pretreatment Office via phone 712-279-6987 and email including the following:
    - i. Description of the bypass, its cause, duration, and pollutants of concern,
    - ii. Whether or not the bypass has ceased, and
    - iii. The steps taken to reduce, eliminate and/or prevent the reoccurrence of the bypass.
3. In the event that the permit holder is found to be in noncompliance with the ordinances of the City, or the conditions of this permit, and the violations require more than verbal notice as specified in the City's Enforcement Response Plan, the City will provide written notice to the permit holder.
  - a. The permit holder will have ten (10) days thereafter to both correct the noted deficiencies and respond in writing to the Pretreatment Office of the nature and cause of the violation and the steps taken to mitigate further violations of the same nature from occurring.
    - i. Alternatively, within the ten (10) day period, the permittee may request a meeting with the Director to determine corrective actions and agree to enter into a compliance schedule to achieve compliance.
  - b. Failure of the permittee to respond to the written notification or request a meeting with the Director may invalidate the permit and subject the permit holder to additional enforcement actions including, civil and/or criminal prosecution.
  - c. The ten (10) day period provided for correction of deficiencies and written notification does not relieve and/or release the permit holder from any administrative action or liabilities arising from said noncompliance.
4. Failure to comply with the requirements of this permit may be grounds for administrative action or enforcement proceedings including but not limited to those contained in the City's Enforcement Response Plan. Failure to comply may also result in the termination of the permit for the following reasons including but not limited to:
  - a. Falsifying self-monitoring reports,
  - b. Tampering with monitoring equipment,
  - c. Refusing to allow timely access to the facility's premises and/or records,
  - d. Continual violations of effluent limitations,
  - e. Discharge of waste that causes interference or pass through,
  - f. Failure to pay fines,
  - g. Failure to pay sewer charges, and
  - h. Failure to meet a compliance schedule
5. A list of industries that were identified in significant noncompliance must be published annually by the City of Sioux City in Sioux City Journal. Accordingly, the permittee is appraised that noncompliance with this permit may lead to an enforcement action that may result in publication of its name in an appropriate newspaper in accordance with this requirement.
6. User information from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the Director's inspection and sampling activities shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Director that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

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#### H. Signatory Requirements:

All applications, reports, or information submitted to the City of Sioux City must contain the following certification statement and be signed as required in Sections (a), (b), (c), or (d) below.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

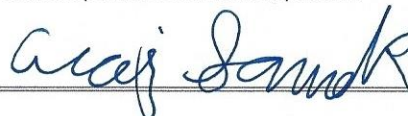
- a. By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means either of the following:
  - i. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
  - ii. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship, respectively.
- c. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a federal, state, or local governmental entity, or their agents.
- d. By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:
  - i. The authorization is made in writing by the individual described in paragraph (a), (b), or (c);
  - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility of environmental matters for the company; and
  - iii. The written authorization is submitted to the City of Sioux City.
- e. If an authorization under paragraph (d) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the City of Sioux City before or together with any reports to be signed by an authorized representative.

Nothing in this permit may be construed to relieve the permittee from civil and/or criminal penalties for noncompliance.

Issued by:



Utilities Director



Pretreatment Coordinator

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